

RECENT ORDERS OF THE COURT OF CHANCERY.

is shown to authorize an attachment before a Judge should grant the order. In this case I do not think the affidavit on which the order was granted disclosed such facts, and I must set aside the order and attachment with costs. It is not necessary to consider the merits. I think the official assignee should, if necessary, be protected

Order accordingly.

RECENT ORDERS OF THE COURT OF CHANCERY.

January 10, 1879.

638. Any adult person entitled to apply under Orders 467 or 471 for an administration order may apply to the Master in the county town of the County (other than the County of York) where the deceased person, whose estate it is desired to administer, resided at the time of his death; and such Master may, on fourteen days' notice being given to the person or persons entitled under the present practice to notice of such an application, make an order for the administration of, and proceed to administer, such estate in the least expensive and most expeditious manner.

639. Such Master shall have full power to deal with both the realty and personalty of the estate the subject of administration and shall dispose of the costs of the proceedings, and shall finally wind up all matters connected with such estate, without any further directions, and without any separate, interim, or interlocutory reports or orders, except where the special circumstances of the case absolutely call therefor; and in so doing he shall be guided by the practice heretofore had in the administration of estates upon an application made in Chambers for an administration order: Provided always, that all moneys realized from the estate shall at once be paid into Court, and that no moneys shall be distributed or paid out for costs or otherwise without an order of the Judge in Chambers or the Court; and on the application for such order, the Judge may review, amend, or refer back to the Master his report or order, or make such other order as he deems proper.

640. Any adult person who has heretofore been entitled to a decree or order for the partition of an estate may, on serving one or more of the persons entitled to a share of the estate of which partition is sought, with a fourteen days' notice of motion, apply to the presiding Judge in Chambers, or to the Master in the County (other than the County of York) wherein the land sought to be affected by the proceeding lies, for an order for the partition or sale of the premises in question; whereupon such Judge or Master may make such order for partition or sale, or such other order as may be proper; and the Master shall thereupon proceed in the least expensive and most expeditious manner, according to the practice now in force, for the partition or sale of the premises, the ascertainment of the rights of the various persons interested—the adding parties, the taxation and payment of costs, and otherwise: Provided always, that where an infant is interested in the estate no order shall be made for partition or sale until such infant is represented by its guardian *ad litem*; and provided also, that all moneys realized from the estate shall at once be paid into Court, and that no moneys shall be distributed or paid out for costs or otherwise without an order of the Judge in Chambers or the Court; and on application for such order the Judge may review, amend, or refer back to the Master his report or order, or make such other order as he deems proper.

641. When after an order has been made under Order 640 lands are discovered in another county, an application may be made to a Judge in Chambers for the partition or sale of such lands under the order formerly made, and where two or more orders have been made by masters in different counties an application may be made in Chambers for an order as to the conduct of the future proceedings.

642. There shall be an appeal to the presiding Judge in Chambers—on any day that he may sit in Chambers—against any decree, order, report, ruling, or other determination of any Master; the notice of such appeal shall be a seven days' notice, and shall set out the grounds of objection, and the